
BOARD OF SELECTMEN MEETING MINUTES 2/10/09

The Board of Selectmen met in the Town Hall, Joseph F. Bilotta Meeting Room as scheduled with Thomas Alonzo, Steven M. deBettencourt, Thomas Mason, Dave Matthews and CAFO Kerry Speidel present, Paula Bertram absent. Meeting opened at 6:22 P.M., reconvened at 7:01 P.M. following Executive Session with the Pledge of Allegiance

PUBLIC DISCUSSION

Chair expressed appreciation to all those townspeople and public officials that participated in the DPU Public Hearing last Tuesday. Noted that this will be a long process and will keep people posted as we hear information.

Announced the press release from the Police Department and expressed appreciation to Det. Deming, the police staff and North Worcester County Drug Task Force for their recent drug surveillance, apprehension and arrest.

Mike Clark, 275 Cross Road expressed concern about the remaining limbs still hanging above the road and to the side of the road. Reported that the area where the kids wait for the bus has a lot of debris still hanging from the trees. Would suggest to at least notifying bus drivers to look for this and not have kids standing under this. Significant safety hazard that we need to take care of this as it's in pockets throughout town.

Per CAFO, we have had tree crews out working every week since the storm, the last week or two we've had only one or two crews out and we will be reimbursed from FEMA. Biggest issue is we believe we have addressed all the hangers that are an emergency hanger related to the storm. At this point, we do have to adhere to procurement process, which could take up to a couple of weeks to go through. There was a fine line between what they would allow as an emergency versus storm debris and the necessity to adhere to legal process. All the hangers will be addressed as long as we follow the correct procedure we will be reimbursed 75%. We are in the process of documenting where all those areas are and will be proceeding with the bidding documents. We have 60 days to get all the information into FEMA, but we can reserve the right to charge costs beyond the 60-day timeframe so long as we can provide an estimate and adhere to bidding procedures. If someone wants to submit a list, CAFO will bring to attention of the Department of Public Works Director.

ANNOUNCEMENTS

None

APPOINTMENTS

1. 7:10 p.m. Richard Burke / Eagle Scout Project – Richard came before the board and presented his proposal, attached. He would like to install benches at the Gazebo area, Town Common and is questioning if the locations will be approved by the board. Board's concern was as to the position of the benches interfering with people sitting on the grass to watch the band concerts and suggested they be placed as close to the plantings as possible, would recommend working with the facilities director to determine the best area with regards to mowing and maintenance issues. Possible to do a site visit with the Facilities Director, CAFO and Board prior to actual installation. Dave motion to approve project with coordination of placement approved by Kerry and Facilities Director, voted unanimously.

2. 7:15 p.m. Joint Meeting with the Library Board of Trustees to consider appointment of Leonard Smetana – Library Trustees were also present. Chair Debra Chapdelaine presented and recommended appointment of Leonard Smetana of 172 Rolling Acres Road, to fill the remainder of the vacant term of the Library Trustees to the next town election. Len informed the board that he has been resident for about 20 years and has always had an interest in serving. He has met with the Trustees regarding his application. Dave motion to appoint Leonard Smetana to the Library Board of Trustees, Tom M. seconded voted unanimously (Board of Selectmen and Trustees) to approve.

CURRENT BUSINESS

1. Representative Jen Benson's Planning Group - request for Board of Selectmen appointee – Tom A. willing to serve on the board as the Selectmen representative and will report back to the board as to the meetings.

2. Representative Jen Benson - request for office space at Town Hall for local office – CAFO informed the board that we have discussed utilizing the prior office of the Conservation Commission and would recommend this space. Per Chair this would be her district office, non state house office. Board concurred with granting the use of this office to Representative Benson. As this is within purview of the CAFO's authority and as such she presented to the board.

3. **Old Primary School - update & feedback from Boards & Committees** – CAFO reviewed the attached comments that the office received from a number of departments although at this time not all have responded.

Chair informed the public of the highlights of the project and what it would offer to the town and would ask Mr. Juhl to review the attached proposal to convert the old primary school to senior housing. Leaving the exterior of the building much the same way that it is and adding to that building that would allow for a total of 40 units. Would utilize HUD funding which would restrict to affordability for a term of 40 years to serve the seniors of Lunenburg. Mr. Juhl has done over 750 units of senior affordable housing and have been very successful and with HUD providing an assistant on staff working with Montachusett Home Care Corporation. All one bedroom units with kitchen, bathroom and living room. 540 square feet maximum. Guidelines are strict with regards to how HUD would review this. Would also have common areas for seniors and to provide social services.

Discussed restriction on the homes under a HUD program, an assumption that if some units were vacant then units could be made available to non-seniors. Per John, the program has been separated out, it is the 811 program that allows for the rental to non seniors. This project will be only for residents 62 years of age and older. The government will work with the community in order to better serve the population that would live there..

Question on the grant rounds that need to be applied for and how long will it take, how many rounds of funding that we would reasonably see it taking to get the funding. Per John, in a given round 140 were given in the past throughout Massachusetts, there have been some changes to the program, but because only 3 to 4 projects get funding in a funding round he would estimate three to four years, unless there is substantial State funding available. Will have to go through a competitive grant process and construction would take a year. Town would relinquish control for three years until such time as funding were available, this would enable the firm to enhance the scores in the grant round processes.

Discussed what we will be selling the asset for and future revenues/expenditures; \$100,000 we're trying to control the asset, if we're going to improve housing and if it's a benefit Dave is all for it. Concern is impact on Council on Aging, Police and Fire and not have funding to subsidize these services.

CAFO reviewed the response from the Assessor's office and that this is not tax exempt per Massachusetts case law, there really isn't any provision for it to be tax exempt.

Per John, not a private entity would be a 501C3 non-profit with a board of directors from members of the community and is proposing an advisory board to work with the project. Referred to letter that he submitted to the board with regards to tax exempt status. Referred to project completed in 2004 Harwich Village on the Cape and subtracted out the school component as there will be less burden on the school system, have seen a number of communities exploring this avenue.

PILOT payments are usually increased over the initial agreement period and moving forward, could be indexed to a per unit/per family cost. The non-profit that would be established would be the official owner of the project. HUD will be for the social services individual and will allow a percentage per unit. The Housing development would also be available for use by other members of the senior community in conjunction with the Council on Aging. Notification of the grant is usually in March, applications are due in June and decisions are made in December for the awards.

CAFO questioned for clarification would Mr. Juhl be anticipating a vote of the board to designate site control and questioned whether Mr. Juhl would you be able to file an application by the board this June if it were determined to move forward.

whether we need to give approval annually, or would this be a three year block.

Per John HUD requires that sufficient time be allowed for site control and did extend beyond one year, can be thresholds, can be dates that have Mr. Juhl reporting back to the board. One year term for site control would be impossible to do in terms of getting funding from HUD. Scores on the proposal will be provided as the town moves forward on this project.

John would consider the three year term to be sufficient time to obtain funding as there is a need for this type of development.

Cost to maintain this building prior to this year was approximately \$15,000, town has since turned off the heat and water as we felt this is what we had to do.

Dave questioned if this is something we have to take to town meeting and per CAFO would have to take this to town meeting if we were to change the ownership. We do have site control as we have ownership of the town and the question is whether it's the town or through the Board of Selectmen, technically we're entering into a long term purchase and sale agreement, a question for town counsel. John would have to get financing in place and the land disposition agreement is worded as such.

Board would consider holding a public hearing for residents and departments, and would like the input from the Planning Board. Also response to questions that have already been asked by the departments and will be furnished to Mr. Juhl.

To be placed on the board's agenda March 3rd, with a public hearing tentatively scheduled for the third week of March.

Stevens concern is what the potential impact may be on the public safety services and would like some input directly from them on their impact statement as to how this would affect their department.

4. **CAFO Updates**

- **Request for vote to declare 12/11/08 ice storm an emergency in accordance with MGL Chapter 44, Section 31**

➤ Tom A. entertain a motion, Tom M., move that the Board of Selectmen vote to declare the Ice Storm of December 11th, a state of emergency in the Town of Lunenburg, Steve seconded, voted unanimously.

➤ Received an update from Tessa David on the Regional Household Hazardous Waste Facility at Devens for the same or less cost that we currently have within the budget. Will provide recent correspondence for the board's review as they are still requesting that the communities are still interested in moving forward with the project, Board concurred to move forward.

➤ Ritter Building was occupied yesterday by office of the Building Inspector, Conservation Commission, Planning Board, & Board of Health. Mike Sauvageau did a great job overseeing this project and will look to hold an open house in the near future. Will present the budget that has been expended to the board at a future meeting. Most of the painting work was completed by the Sheriff's department. Board extended their appreciation to the Building Inspector and CAFO for all their work in seeing this project finally completed.

➤ **MMA Home Energy Savings Seminar** - Received notification from MMA to host Home Energy Savings Seminars, as this is free and the cost of heating homes and making as efficient as possible, could possibly do at the Library and Council on Aging as we will be co-sponsoring with MMA. Board would like to see this hosted in Lunenburg.

- **Update on FY2009 Budget** – CAFO provided the attached FY2009 Proposed Budget Adjustments and potential deficits totaling \$450,746.04. According to the Army Corps of Engineers they estimate that there is 5600 cubic yards of debris still within the rights of way, including within the public ways on town owned property, not including town property such as school. State law allows the town to deficit spend for snow and ice, but would have to raise the following year within the levy. More prudent to address within the current year. Currently not prepared to discuss the potential budget cuts in detail with the board as she still needs to discuss with some department heads. Rational in using the stabilization fund as these were unanticipated and extraordinary events. Would be looking to ask that town meeting approve the amount from the 9C cuts and the Ice Storm come from the Stabilization Fund.

Board questioned current balance in stabilization is around 1.2 million, this would need to go before town meeting in May unless a special town meeting were called earlier, concern is long term effects. Town will have to make significant cuts and will have to change the way that we do business and CAFO's budget per Charter needs to be out by February 15th. The biggest problem is, it costs money to save money. In order to effectively save money on laying off employees, you would have to lay off three employees to get the benefit of laying off two employees as we are also responsible for unemployment costs.

It was noted that we were fortunate last year but now we are looking at a very bleak time ahead, added on to this the national situation and from a revenue standpoint, new growth and receipts may be a struggle to get to the level funded number that we have for this year. The town has a number of contractual increases, energy costs and these must be identified quickly to prepare people for what these departments are going to see.

Steve questioned what percentage of the school's 18 million dollar budget is the \$20,000 as this does not seem equitable to the other departments.

CAFO had a discussion with the School Superintendant and without even asking she had offered the \$20,000. At this point this is a representation of the hiring freeze on a number of departments. It's a combination of the hiring and spending freeze and additional cuts to the departments. The proposed cuts do not require any layoffs at this time. If the board were in favor of using the stabilization fund as still we need to look at and additional \$30,918 in cuts. If not then need to know what direction the board would like her to go in.

Per Chair there are options along the way and it's good to know some of the options, have to believe that school is going to be able to come up with more than the \$20,000 and would like this brought back to the School Department and School Committee. Every department is fair play, we have to get through this as a town, can't let certain numbers fall below what is the people's expectations of services.

As CAFO is in the middle of looking at 2010 makes the puzzle this year even more complicated. In discussions with the School Superintendant, she is keenly aware of the situation and CAFO will have more discussions with her on this.

Dave would like to have more information before he could possibly support \$228,000 out of stabilization fund and concerned about whether the town will have to absorb the entire 25% costs attributed to the ice storm.

CAFO also discussed the potential of having a curbside cleanup of debris from the ice storm and have been informed that FEMA will cover 75% of this cost. People do have options, the landfill remains open, have petitioned the DEP to allow early burning so now people can burn on their property, also have learned that homeowners insurance policies will cover the cost of debris removal and would like to bring a cost proposal to the board within the next couple of weeks.

Steve questioned whether Sheriff Glodis has been contacted for assistance in debris removal; CAFO will contact them about this.

5. Recognition of the Fire Fighter Academy Graduates – CAFO would like to place on the board's agenda in the future as the town hosted the classes for the Fire Fighter Training Academy and would like to recognize Kyle Forrest, Matthew Glennhy and Sean McKenna.

6. Appointment of Task Force to consider Municipal Electric Utility – Chair would like to call people to volunteer for a committee to at least research the Town's options should legislation be passed to allow us to consider our own municipal electric utility and whether the board would like to see us pursue this or not.

Steve's concern is that we need to look at DPU and we have to attend these hearings as these rates are killing us, we have to regulate the rates and pay attention to this. The issues during the storm are related to DPU as the electric company needs to have an emergency management plan. Don't know that we have the people or funds to pursue this option.

Per Chair, that's what this committee will be looking at, it's an exploratory committee, charged with the task of speaking with communities that have their own electric utility companies. This committee would be the first step, it has to make financial and managerial sense. Will need people in municipal management, business management possibly a five person committee.

CAFO will draft up a Mission Statement for next meeting.

7. Minutes, Warrants, Contracts –

Minutes - none

Warrants - #43 09, 2/10/09 - \$530,070.33 reviewed and signed.

Contracts - none

8. Action File Issues -

Steve questioned if it's our intention to have everyone contacting the Selectmen's office to identify the sites where hangers are, or is it going to be a complete compilation of the entire town. Per CAFO the process is ongoing and we will be identifying every single hanger in town, if there are concerns that people want to be sure are addressed, they should contact the Department of Public Works.

OLD BUSINESS

1. Committee Updates -

➤ PACC Committee is working with Comcast to get Channel 9 up and word is it may take two to three months.

The students have been very active and videotaped the DPU Hearing which is scheduled to be televised.

➤ Dave Capital Planning, has been in a holding plan. Noted that Department of Public Works is requesting funding for a paving program, currently requesting \$500,000. Questioning if there is a less costly plan available for the town to utilize to prioritize the roads necessary to be paved. The \$500,000 was put in as a place holder, and the Department of Public Works Director is working on preparing a report; the CAFO's expectation is that we will have a report within the next couple of months. Also, DPW Director has identified priority roads that will be presented so the \$500,000 will potentially be less.

➤ Finance Committee met and went over the potential deficits and general discussion on the extent of the 9C cuts may be.

APPOINTMENTS – REAPPOINTMENTS – RESIGNATIONS

1. Resignation – None

2. Vacancies, FY'09 – vacancies that still exist are for Fence Viewer, Historical Commission, Housing Partnership, Montachusett Joint Transportation Committee, Personnel Committee and Pound Keeper.

EXECUTIVE SESSION

1. Pending Litigation

Being no further business board voted unanimously to adjourn Regular Session at 9:30 P.M.

Respectfully submitted,

Laura Williams, Chief Administrative Assistant
Board of Selectmen